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| 10/697,157 | 10/31/2003 | Kazuki Emori | SHO-0034 | 9101 |

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| EXAMINER |
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LIM, SENG HENG

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| ART UNIT | PAPER NUMBER |
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3714

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| MAIL DATE | DELIVERY MODE |
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01/25/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/697,157

Applicant(s)

EMORI, KAZUKI

Examiner

Seng H. Lim

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2007.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-6 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/ are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 3-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Sakamoto (JP 10174738 A).

Regarding Claim 1. Sakamoto discloses a gaming machine comprising: a cabinet having a front side (Fig. 3, 4); a cover/belly panel releasably connected to the cabinet and operable to move to a cover state where a portion of the front side of the cabinet is covered by the cover/belly panel and an exposed state where the portion of the front side of the cabinet is uncovered when the cover/belly panel is positioned away from the cabinet (5: Fig. 2, 3); a symbol row display device configured to display a plurality of symbols for a player to arrange the symbols (Fig. 4); an operation input device comprising a lever or a button to be operated by the player to play a game (Fig. 4); an internal lottery device configured to carry out an internal lottery of the game with a random number (Fig. 4: it is well known in the art that a random number generator is used to determine the combination of the symbols); an illumination device configured to illuminate a tray formed on a cabinet of the gaming machine (25: Fig. 2, English translation of abstract); a transparent member placement part attached to the portion of the front side of the cabinet (22a: Fig. 2); and a transparent member detachably disposed between the illumination device and the tray (26, Fig. 1), wherein, when the belly panel is in the exposed state, the transparent member placement part is operative to receive the transparent member and, when the belly panel is in the cover state, the transparent member is inherently received by the transparent member placement part such that the transparent member is positioned between the cover/belly panel and the

portion of the front side of the cabinet thereby retaining the transparent member substantially immovable therebetween (22, 26, 24: Fig. 1, 2).

Regarding Claim 3. Sakamoto further discloses wherein the transparent member is formed of a plastic member (para 2 of English translation of abstract: plastics are made of resins).

Regarding Claim 4. Sakamoto further discloses wherein the transparent member is sandwiched and fixed (26, Fig. 1) between the cabinet (24, Fig. 1) and a belly panel fitted into the cabinet (22, Fig. 1).

Regarding Claim 5. Sakamoto further discloses wherein the transparent member is colored (para 2 of English translation of abstract: resins can be of various colors).

Regarding Claim 6. Sakamoto further discloses wherein the transparent member is decorated with a decoration including at least one of a character, a sign, and a design (para 2 of English translation of abstract).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakamoto.

Regarding Claim 1: Sakamoto discloses the claimed invention except for a detachable transparent member. It would have been obvious to one having ordinary skill in the art at the time the invention was made to include a detachable member for ease of maintenance, since it has been held that constructing a formerly integral structure in

various elements involves only routine skill in the art. *Nerwin v. Erlichman*, 168 USPQ 177, 179. See MPEP 2144.04 (V)(C)

Regarding Claims 3-6: See 35 USC Sec. 102 rejections of claims 3-6 above.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sakamoto in view of Corsetti (WO 98/05575). The teachings of Sakamoto have been discussed in claim 1 above.

However, Sakamoto fails to disclose wherein the transparent member comprises: a bottom member configured to transmit light from the illumination means; a rear member fixed to the bottom member substantially at right angles therewith; and a side member fixed between the rear member and the bottom member.

Corsetti teaches the transparent member comprises (Fig. 1; page 10, lines 3-7): a bottom member configured to transmit light from the illumination means (30, Fig. 1: the transparent plastic allows light to pass through); a rear member fixed to the bottom member substantially at right angles therewith (20, Fig. 1); and a side member fixed between the rear member and the bottom member (38, Fig. 1).

Therefore, in view of Corsetti, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the aforementioned limitations in order to allow the transparent member to be inserted/removed easily into/from the cabinet of the gaming machine (page 3, lines 1-5).

Alternatively, claim 2 is rejected on the matter of design choice. The transparent member still utilizes the bottom member to transmit light from the illumination device. In re Dailey, 357 F.2d 669, 149 USPQ 47 (CCPA 1966). See MPEP 2144.04 (IV)(B).

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please see attached USPTO form PTO-892.

Response to Amendment

Applicant's arguments filed 10/01/2007 have been fully considered but they are not persuasive. Applicant is merely stating that the prior art does not teach the limitations and does not provide sufficient arguments.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Seng H. Lim whose telephone number is 571-270-3301. The examiner can normally be reached on 8:30-6:00, Monday-Friday, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on 571-272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
10/697,157
Art Unit: 3714

Page 6

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SHL

January 8, 2008



KUAN M. THAI
SUPERVISORY PATENT EXAMINER